

### **REMARKS**

Applicant has carefully reviewed and considered the Office Action mailed on July 26, 2006, and the references cited therewith. Claims 1, 12, 22, and 29 are amended and claims 39-50 are canceled. Claims 1-38 remain pending in this application.

#### **35 USC §102 Rejection of the Claims**

Claims 1 – 2, 4 – 8, 12 – 18, 22 – 26 and 29 – 36 were rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 6,516,389 to Uchihori (“Uchihori”). Applicants respectfully traverse this rejection.

Independent claims 1, 12, 22, and 29 are drawn to a method, apparatus, article, and system, respectively, which involve “retrieving selected data from one or more mass storage devices.” To provide further clarification, these independent claims 1, 12, 22 and 29 have all been amended to recite retrieving the selected data “based at least in part on at least one requester profile relating at least one requester of data with historical device access information of said at least one requester of data.” Support for this amendment may be found in the present application, for example, in paragraph 0025 of the application publication, which describes a requester profile as a relationship between a requester and device access information for that requester. The claimed invention may thus allow pre-fetching of data based on a particular requester and the historical device access information of that particular requester.

Applicants respectfully submit that Uchihori fails to disclose retrieving selected data “based at least in part on at least one requester profile relating at least one requester of data with historical device access information of said at least one requester of data,” as recited in amended independent claims 1, 12, 22 and 29. Uchihori discloses “a pre-fetch prediction table 122 to record access (readout access) history in order to predict data to be accessed by the host computer 20 more effectively” (see col. 6, lines 43-47). Although Uchihori mentions a host computer, Uchihori does not appear to disclose, however, that the pre-fetch prediction table 122 is related to that particular host computer. The pre-fetch prediction table 122 includes an area address field to set HDD 11 area address, a prediction address field to set area address accessed by the host computer 20 following the data readout access using the area address as prediction address, and a V field to set a flag information indicating if the concerned entry contents are

effective or not (see col. 6, lines 59-67). The pre-fetch prediction table 122 shown in Uchihori does not include any identifiers or other data indicating that the address fields in the table 122 are associated with accesses by a particular host computer or requester of data. As understood by applicants, the pre-fetch prediction table 122 would be associated with all host computers that request data and would be updated based on the addresses accessed by all host computers. As such, the pre-fetch prediction table 122 is not a requester profile, as recited in the independent claims. For the same reasons, Uchihori does not disclose creating a requester profile or updating a requester profile, as recited in dependent claims 6, 7, 16, 17, 25, 26, 35 and 36.

Because Uchihori fails to identically disclose the method, apparatus, article, and system recited in the amended independent claims, applicants submit that these independent claims, and the claims dependent therefrom, are not anticipated by Uchihori. Accordingly, applicants request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Claims 39 – 50 were rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0152354 to Harmer (“Harmer”). Claims 39-50 have been cancelled. Accordingly, applicants request that this rejection be withdrawn.

### 35 USC §103 Rejection of the Claims

Claim 3 was rejected under 35 USC § 103(a) as being unpatentable over Uchihori in view of U.S. Publication No. 2004/0193807 to Mogi et al. (“Mogi”). Applicants respectfully traverse this rejection.

Dependent claim 3 is dependent from independent claim 1 described above. The Office Action relies on Mogi as teaching device identification information of one or more mass storage devices. Even if Uchihori could be combined with Mogi, the combination would fail to teach or suggest retrieving selected data based, at least in part, on a requester profile, for the reasons discussed above. Applicants submit therefore that dependent claim 3 is patentable by virtue of its dependency from claim 1 as well as for the additional limitations recited therein. Accordingly, applicants request that this rejection under 35 USC § 103(a) be withdrawn.

Claims 9 – 11, 19 – 21, 27 – 28 and 37 – 38 were rejected under 35 USC § 103(a) as being unpatentable over Uchihori in view of Harmer. Applicants respectfully traverse this rejection.

Dependent claims 9 – 11, 19 – 21, 27 – 28 and 37 – 38 all depend from respective independent claims 1, 12, 22 and 29 discussed above. The Office Action relies on Harmer as teaching the storage of device data layout information in cache memory. Even if Uchihori could be combined with Harmer, the combination would fail to teach or suggest retrieving selected data based, at least in part, on a requester profile, for the reasons discussed above. Applicants submit therefore that dependent claims 9 – 11, 19 – 21, 27 – 28 and 37 – 38 are patentable by virtue of their dependency from claims 1, 12, 22 and 29 as well as for the additional limitations recited therein. Accordingly, applicants request that this rejection under 35 USC § 103(a) be withdrawn.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (603-668-6560) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-2121.

Respectfully submitted,

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